

REMARKS

The title has been changed as suggested by the Examiner.

Claims 7-9 are canceled.

Claims 1, 3 and 5 have been amended as discussed with the Examiner to overcome the current rejections.

Claims 1, 3 and 5 stand rejected under 35 USC § 103(a), as being unpatentable over U. S. Patent No. 6,277,142 to Pinter (the “142 Pinter patent”) in view of U. S. Patent No. 6,132,452 to Pinter (the “452 Pinter patent”).

Nowhere is taught or even suggested to interconnect electrical conducting pads in the 142 Pinter patent.

The Examiner relies on combining an earlier reference the 452 Pinter patent by the same inventor to state claims 1, 3 and 5 are unpatentable due obviousness. The 452 Pinter patent teaches the use of a wooden plate with a cutout to receive a metal cross. Placed between the wooden plate and cross are conducting pads. Nowhere is taught or even suggested to interconnect electrical conducting pads which are in contact with the body with out a wooden or other type of interface between the body and conducting pads. The 452 Pinter patent requires the electrical conducting pads to be aligned in a cross shape. In the 142 Pinter patent the inventor actually steers away from interconnecting the pads by removing reference to such.

The applicant contends that the prior art cited and combined by the Examiner to reject claims 1, 3 and 5 does not suggest the desirability of the modification in the manner suggested by the Examiner. The Examiner has failed to show why one skilled in the art would be motivated to modify the teachings of the Pinter patents to arrive at the applicant’s invention by removing the wooden base, cross and pad alignment in a cross and replacing them with separate pads that are interconnected by wires. The applicant contends the Examiner is relying on hindsight to arrive at the determination of obviousness, since the applicant’s invention is less

technologically complex. The applicant cites relevant case law of *In re Fritch* 972 F.2d 1266, where the court states the following.

The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification. This court has previously stated that "one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention."

In view of the aforementioned remarks and amendments, it is believed that claims 1-6 are in condition for allowance and allowance of these claims is respectfully requested.

Respectfully submitted,
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